

TRAVERSE

Applicant submits that since this is a National Stage application based on an International Application and was filed under 35 U.S.C. §371, unity of invention (not restriction) practice is applicable in this case. See MPEP §1893.03(d). Applicants accordingly traverse the improper election requirement set forth in the Office Action.

Applicant believes that claims 1-20 currently pending in the instant application meet the requirements for unity of invention under 37 CFR §1.475. Supporting this belief is the lack of any objection to the claims with respect to the requirements for unity of invention, under PCT Rules 13.1 and 13.2, in the examination of the International Application.

Moreover, the Examiner has failed to explain how the various claims pending in the instant application lack unity of invention, as he is *required* to do. As discussed in MPEP §1893.03(d),

“When making a lack of unity of invention requirement, the examiner must (1) list the different groups of claims and (2) explain why each group lacks unity with each other group (i.e., why there is no *single general inventive concept*) specifically describing the unique special technical feature in each group.”
[Emphasis supplied]

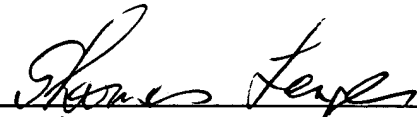
Thus, applicant contends that the Examiner has, at the very least, failed to make a *prima facie* showing that applicants should be required to select for prosecution less than all of the claims now pending in the application. Such a detailed explanation, as enumerated in the MPEP section quoted above, is requested if the Examiner continues to require that applicant select less than all of the pending claims for prosecution in the instant application.

In view of the foregoing, applicant respectfully requests that the Examiner reconsider and withdraw the restriction requirement set forth in the Office Action of July 3, 2008, and examine all of the pending claims together in the present application.

Any fees or charges required at this time in connection with the application may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,
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By



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